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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,545	09/01/2000	Sheila Renee Crosby	RCA 88696	8707

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THOMSON MULTIMEDIA LICENSING INC
JOSEPH S TRIPOLI
PO BOX 5312
2 INDEPENDENCE WAY
PRINCETON, NJ 08543-5312

EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/486,545

Applicant(s)

CROSBY ET AL. *rw*

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This communication is responsive to Amendment B, filed 07/21/04.
2. Claims 1-14 are pending in this application. In the Amendment B, claims 1, 7, 9 and 13 are independent claims, and claim 1 is amended. This action is made non-final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (U.S. Patent No. 5,812,123).

As to claim 1, Rowe teaches a system for navigating within a display having one or more display sections, comprising:

means for selecting a section of said display (e.g., col. 16 lines 13-29, and fig. 7);

means for navigating said first section of said display (e.g., col. 15 lines 5-20, and fig. 7);

control means for displaying a navigational symbol on a border of a selected section (elements 67 figs. 7-8), said symbol corresponding to a direction in which a highlight may be moved (fig. 7); and

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said control means moves said highlight to a second of said display (e.g., col. 10 lines 46-67) in said corresponding direction in response to the steps of highlighting said navigational symbol on said border of said first selected section and selecting said navigational symbol (e.g., col. 10 lines 46-67, and figs. 7-8); although, Rowe teaches that in each program title 66 or 66' contains information icons, which can be selected by the user (e.g., col. 16 line 59-col. 17 line 10; however, Rowe does not clearly show navigating within the first section. It is well known and would have been obvious to modify the program tiles to provide more selecting information such as links, audio files, images, and etc. to give the user more detail about the current program.

As to claim 2, Rowe teaches the system of claim 1 wherein said symbol indicates an availability of an adjacent section in said corresponding direction (In response to a selected subcategory tile appearing within the viewing panel, at least one program tile representing a program associated with the selected subcategory is retrieved from the database if a program is available that is associated with the selected subcategory, e.g., col. 3 lines 34-40).

As to claim 3, Rowe teaches the system of claim 1 wherein said different sections of the display represent different frames (figs. 2, 4, 7-8).

As to claim 5, Rowe teaches the system of claim 1 wherein said control means moves said highlight in said corresponding direction to another icon in said selected section if another icon exists in said selected section in said corresponding direction (element 67 of fig. 8 shows the availability of all directions; however, element 67 of fig. 7 only shows 3 directions).

As to claim 6, Rowe teaches the system of claim 2 wherein said control means moves said highlight in said corresponding direction to another icon in said adjacent section if no other icon exists in said selected section in said corresponding direction (e.g., figs. 7-8).

As to claim 7, this claim is a combination of claims 1, 5, and 6. Note the rejections of claims 1, 5, and 6 above.

As to claim 8, Rowe teaches the system of claim 7 wherein said controller causes said navigational control to be displayed, if an adjacent section is available in a direction indicated by said navigational control (make selection, e.g., col. 3 lines 35-60).

As to claims 9, this is a method claim of system claim 1. Note the rejection of claim 1 above.

As to claim 10, this is a method claim of system claim 2. Note the rejection of claim 2 above.

As to claims 11 and 12, these are method claim of system claims 5 and 6. Note the rejections of claims 5 and 6 above respectively.

As to claims 13 and 14, these are method claims of claims 7 and 8. Note the rejections of claims 7 and 8 above respectively.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowe et al. (U.S. Patent No. 5,812,123) in view of Montalbano (U.S. Patent No. 5,918,237).

As to claim 4, modified Rowe teaches the system of claim 1 wherein said different sections of the display but Rowe does not shows the sections of the display represent different web pages. Montalbano clearly teaches the sections represent different web pages (col. 4 lines 1-10 and figs. 3a and 6). It would have been obvious, at the time of the invention, a person with

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ordinary skill in the art would add this multiple-display-different web pages into Rowe's system using the same screen monitor to provide more interesting information to a user from one website to another (col. 1 lines 38-42).

Response to Arguments

Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

10/17/04

BA HUYNH
PRIMARY EXAMINER